

## **MINUTES**

### **MONTANA SENATE 58th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HIGHWAYS AND TRANSPORTATION**

**Call to Order:** By **CHAIRMAN EDWARD BUTCHER**, on January 16, 2003  
at 3 P.M., in Room 405 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Edward Butcher, Chairman (R)  
Sen. Duane Grimes, Vice Chairman (R)  
Sen. Sherm Anderson (R)  
Sen. Vicki Cocchiarella (D)  
Sen. Mike Cooney (D)  
Sen. Aubyn Curtiss (R)  
Sen. Bob DePratu (R)  
Sen. Dan Harrington (D)  
Sen. Jerry O'Neil (R)  
Sen. Gerald Pease (D)  
Sen. Glenn Roush (D)

**Members Excused:** Sen. Sam Kitzenberg (R)

**Members Absent:** None.

**Staff Present:** Pat Murdo, Legislative Branch  
Roberta Opel, Committee Secretary

**Video-Taped Committees:** This is the video log of a committee hearing. The log provides a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: SB 175, 1/16/2003  
Executive Action: SB 83

#### **HEARING ON SB 175**

**Opening Statement by Sponsor:** **SEN. KEN TOOLE, SD 27, Helena,**  
presented SB 175; an act prohibiting hand-held electronic

communication devices while operating a vehicle. **SEN. TOOLE** presented amendments to the committee. **EXHIBIT(his09a01)**

**Proponents' Testimony:**

3:11pm Clay Hickman, Helena **EXHIBIT(his09a02)**  
3:15pm Shawn Driscoll, Chief, Montana Highway Patrol  
3:16pm Doug Kaercher, Montana Association of Counties (MACO)  
3:15pm William Kembel, Montana Association of Chiefs of Police (MACOP)  
3:16pm Dennis Himmelberger, Billings  
3:21pm Mike Barrett, Helena **EXHIBIT(his09a03)**  
3:24pm George Lane, representing himself

**Opponents' Testimony:**

3:26pm Margaret Morgan, Western Wireless **EXHIBIT(his09a04)**  
3:28pm Michael Bagley, Verizon Wireless **EXHIBIT(his09a05)**  
3:32pm Spook Stang, Montana Motor Carriers Association  
3:34pm Dennis Iverson, Montana Contractors' Association, Inc.  
3:35pm Bob Gilbert, Montana Tow Truck Association  
3:37pm Mike Fellows, Montana Libertarian Party **EXHIBIT(his09a06)**  
3:38pm Rick Hays, Q West

**Informational Witnesses and Testimony:**

3:39pm Forrest Christian, Capitol City Amateur Radio Club

**Questions from Committee Members and Responses:**

3:41pm Begin  
4:17pm End  
17 min Elapsed time

**Closing by Sponsor:**

4:20pm **SEN. TOOLE** closed the hearing on SB 175.

**EXECUTIVE ACTION ON SB 83**

**4:21pm Motion:** **SEN. BOB DEPRATU** moved **SB 83 DO PASS.**

**Discussion:**

4:21pm Begin  
4:27pm End  
6 min Elapsed time

**Vote:** Motion **carried 12-0.**

**ADJOURNMENT**

Adjournment: 4:27 P.M.

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SEN. EDWARD BUTCHER, Chairman

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ROBERTA OPEL, Secretary

EB/RO

**EXHIBIT** (his09aad)